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Approved For Release 2004/11/01 : CIA-RDP78-01092A000100040012-3

6 DEC 1973

MEMORANDUM FOR: General Counsel

ATTENTION :

[REDACTED]

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SUBJECT : List of ADPE Contract Documentation,
IBM vs. U.S. Government Suit

REFERENCE : Memo dtd 12 Nov 73 to Information
Processing Coordinators fr AGC;
Subject: U.S. v. International
Business Machines Corporation--
Production of Documents

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1. In response to the referenced memorandum and in accordance with the meeting on 15 November 1973 among Messrs. [REDACTED] OGC, and [REDACTED] and [REDACTED] OL, the Office of Logistics has prepared lists of pertinent documents that have been identified in accordance with court orders.

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2. Attachments 1 and 2 are unclassified and represent sanitized revisions of the original lists provided to the Office of General Counsel in April 1972. These lists identify documents that are classified Confidential or Secret by the designation C (1) and classified Codeword material by the designator C (3). All unclassified material that was previously identified has been deleted from the lists with the exception of those files in Archives which may contain pertinent documents. The latter are designated in the A category. The deletion of unclassified material was made on the basis that IBM has previously screened this material and made copies, where appropriate.

3. You will note that the lists do not identify the contractors by name; and, in lieu, we have substituted the contractors' numerical code number which has been assigned in our Automated Contract Information System (CONIF). Attachment 3 is a cross index of the appropriate contractors' names and code numbers for identification purposes. We have taken this step to insure integrity of our relationships with contractors and for security reasons. All contract numbers on the list with prefix XG are Agency-overt contracts and the relationship of contractor and Agency is not classified. All contracts without this prefix are Sterility Code 1 contracts and the

OGC Has Reviewed

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relationship itself is classified. In either event, we feel the totality of the lists should be protected from appearing in open court records which would identify a large number of sources that we deal with on both an unclassified and classified basis.

25X1 4. With respect to Attachment 2, a special cautionary word is needed. The contracts listed in this group were sponsored by [redacted] and, notwithstanding the sanitization of the list, they have taken a strong position that such a list should not be released. Their position is set forth in Attachment 4 hereto, and I believe further discussion must be held between OGC and [redacted] before releasing Attachments 1 and 2 to the Department of Justice.

25X1 5. Please advise if we may be of further assistance.

[redacted]
Francis J. Van Damm
Director of Logistics

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Atts

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